

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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	:
JASON GOODMAN,	:
	:
Plaintiff,	: No. 21 Civ. 10878-AT-JLC
	:
-against-	: <i>Pro Se</i> Case
	:
	:
CHRISTOPHER BOUZY, et al.,	:
	:
Defendants.	:
	:
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**NOTICE OF MOTION**

Defendants Christopher Bouzy and Bot Sentinel Inc., (together, “Movants”) by and through undersigned counsel, respectfully move to dismiss the Complaint filed by Plaintiff Jason Goodman in the above-captioned matter.

The Complaint seeks money damages for speech protected under the First Amendment and New York law. Specifically, as set forth in the accompanying memorandum of law:

1. Bot Sentinel Inc. is not alleged to have published the challenged statement and therefore cannot be held liable for defamation.
2. The challenged statement placed at issue in the Complaint is substantially true and therefore nonactionable.
3. This true statement does not reasonably convey any actionable implication and, in any event, such an implication would be an absolutely protected expression of opinion.

4. Under both the First Amendment and New York law, Plaintiff was required to plausibly plead that the Movants published the challenged statement with “actual malice” fault, but failed to do so.

Accordingly, Movants respectfully request that the Court dismiss the Complaint with prejudice under Rule 12(b)(6). Because Plaintiff has appeared *pro se*, Movants have attached the notice required by Local Rule 12.1, and, pursuant to Local Rule 7.2, will provide Plaintiff with copies of all unpublished orders cited in the accompanying memorandum of law.

Respectfully submitted,

BALLARD SPAHR LLP

By: /s/ Seth D. Berlin  
Seth D. Berlin (SB7978)  
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*Counsel for Defendants Christopher Bouzy  
and Bot Sentinel Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 12th day of December 2022, I caused true and correct copies of the foregoing Notice of Motion to be served by email and U.S. Mail First Class on the following:

Mr. Jason Goodman  
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*Pro Se Plaintiff*

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*Pro Se Defendant*

/s/ Seth D. Berlin  
Seth D. Berlin (SB7978)